

GORDON H. DePAOLI
Nevada State Bar No. 00195
DALE E. FERGUSON
Nevada State Bar No. 4986
WOODBURN AND WEDGE
6100 Neil Road, Suite 500
Reno, Nevada 89511
Telephone: 775 / 688-3000

Attorneys for WALKER RIVER IRRIGATION
DISTRICT

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants.

UNITED STATES OF AMERICA,
WALKER RIVER PAIUTE TRIBE,

Counterclaimants,

v.

WALKER RIVER IRRIGATION DISTRICT,
et al.

Counterdefendants.

) IN EQUITY NO. C-125

) SUBFILE NO. C-125-B

) 3:73-cv-00127-ECR-LRL

) SUBFILE NO. C-125-C

) 3:73-cv-00128-ECR-LRL

) **UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE
MEMORANDA RELATED TO
OBJECTIONS TO PROPOSED
SERVICE CUTOFF AND
SUCCESSOR-IN-INTEREST
ORDERS AND TO ADJUST
REMAINING SCHEDULE
ACCORDINGLY (2nd Request)**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and LR 6-1 and LR 6-2,
counsel for the Walker River Irrigation District (the "District") moves the Court for an order

1 extending the time for parties to file memoranda related to objections, if any, to the proposed
2 service cutoff order (Doc. 1613 in C-125-B) and successor-in-interest orders (Doc. 1614 in C-
3 125-B; Doc. 516 in C-125-C) from December 31, 2010 to January 7, 2011, and further requests
4 that the Court extend the time for the Plaintiff Parties to file any replies, including any revisions
5 to the proposed order, to on or before February 3, 2011.
6

7 In support of this Motion, counsel for the District represents the following to the Court:

8 1. By Stipulation and Order dated December 15, 2010, the Court established a
9 schedule for filing memoranda related to objections, if any, to the proposed service cutoff and
10 successor-in-interest orders. (Doc. 1616 in C-125-B; Doc. 518 in C-125-C).

11 2. Pursuant to Order dated December 15, 2010, the Court extended the deadline to
12 file memoranda related to objections, if any, to the proposed service cutoff and successor-in-
13 interest orders to on or before December 31, 2010, directed that the Plaintiff Parties and
14 Primary Defendants in both cases confer before the Plaintiff Parties reply to those objections to
15 determine, among other things, if the parties can agree on proposed language, or if there are
16 additional procedures and forms that may assist with these issues; and further ordered that the
17 Plaintiff Parties shall file any replies, including any revisions to proposed orders on or before
18 January 27, 2011. (Doc. 1617 in C-125-B; Doc. 519 in C-125-C).

19 3. By reason of a family emergency which arose commencing on December 20,
20 2010, and which is ongoing, counsel for the District requires a one week extension of time to
21 file its memorandum related to objections to the proposed service cutoff and successor-in-
22 interest orders.
23

24 4. Counsel for the District has contacted counsel for the Walker River Paiute Tribe
25 and Mineral County concerning this request, and they have no objections to it.
26

27 5. Counsel believes that the United States would not oppose this Motion. Susan
28 Schneider, principal counsel for the United States, is out of her office until January 4, 2011.

1 Counsel for the District has sent an email to Susan Schneider and left a voice mail message,
2 and in addition, has left a message for a person whom Susan Schneider said should be
3 contacted in her absence. However, counsel for the District has not heard from either Susan
4 Schneider or the other person for whom a message was left. Counsel sent a similar email
5 message to Greg Addington at the United States Attorney's Office in Reno, Nevada. He, too, is
6 out of his office until January 4, 2011, as is the other person he suggested be contacted in his
7 absence. Counsel for Mineral County spoke with Christopher Watson, who, although not
8 counsel of record, is with the Solicitor's Office of the Department of Interior and has been
9 working with Susan Schneider on this matter. Mr. Watson has no objection to the extension,
10 and he believes (as does counsel for the District) that Susan Schneider would agree to the
11 extension under the circumstances.
12

13
14 NOW, THEREFORE, based upon the foregoing, counsel for the District respectfully
15 requests that the Court grant the Motion, and extend the time for parties to file memoranda
16 related to objections, if any, to the proposed service cutoff and successor-in-interest orders to
17 January 7, 2011, and extend the time for the Plaintiff Parties to file any replies, including any
18 revisions to the proposed orders, to on or before February 3, 2011.

19 Dated: December 28, 2010.

WOODBURN AND WEDGE

20 By: /s/ Gordon H. DePaoli

21 Gordon H. DePaoli

22 Nevada Bar No. 195

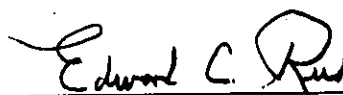
23 6100 Neil Road, Suite 500

Reno, Nevada 89511

Attorneys for Walker River Irrigation District

24 **ORDER**

25 IT IS SO ORDERED.

26 

27 Lawrence R. Leavitt

28 United States Magistrate Judge
DISTRICT

Dated: December 28, 2010.

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CERTIFICATE OF SERVICE

I certify that I am an employee of Woodburn and Wedge and that on the 28th day of December, 2010, I electronically served the foregoing *Unopposed Motion for Extension of Time to File Memoranda Related to Objections to Proposed Service Cutoff and Successor-In-Interest Orders and to Adjust Remaining Schedule Accordingly (2nd Request)* in Case No. 3:73-cv-00127-ECR-LRL on the following via their email addresses:

Brian Chally	brian.chally@lvvwd.com
Bryan L. Stockton	bstockton@ag.nv.gov
Charles S. Zumpft	zumpft@brooke-shaw.com
Cherie K. Emm-Smith	districtattorney@mineralcountynv.org
Don Springmeyer	dspringmeyer@wrslawyers.com
Chrristopher Mixson	cmixson@wrslawyers.com
G. David Robertson	gdavid@nvlawyers.com
George Benesch	gbenesch@sbcglobal.net
Greg Addington	greg.addington@usdoj.gov
Harry W. Swainston	hwsainston@earthlink.net
J.D. Sullivan	jd@mindenlaw.com
James Spoo	spootoo@aol.com
John Paul Schlegelmilch	jpslaw@netscape.com
Julian C. Smith, Jr.	joylyn@smithandharmer.com
Karen Peterson	kpeterson@allisonmackenzie.com
Kirk C. Johnson	kirk@nvlawyers.com
Laura Schroeder	counsel@water-law.com
Louis S. Test	twallace@htag.reno.nv.us
Marta Adams	maadams@ag.state.nv.us
Marvin W. Murphy	marvinmurphy@sbcglobal.net
Michael D. Hoy	Michael D Hoy mhoy@nevadalaw.com
Michael F. Mackedon	falonlaw@phonewave.net
Michael R. Montero	mrmm@eloreno.com
Michael A. Pagni	mpagni@mcdonaldcarano.com
Richard W. Harris	rharris@gbis.com
Ross E. de Lipkau	ecf@parsonsbehle.com
Sylvia Harrison	sharrison@mcdonaldcarano.com
T. Scott Brooke	brooke@brooke-shaw.com
Michael W. Neville	michael.neville@doj.ca.gov
Stacey Simon	ssimon@mono.ca.gov
Susan Schneider	susan.schneider@usdoj.gov
Paul J. Anderson	panderson@mclrenolaw.com
Debbie Leonard	dleonard@mcdonaldcarano.com
Wes Williams	wwilliams@standfordaluni.org
William J. Duffy	william.duffy@dgslaw.com
Gene M. Kaufmann	GKaufmann@mindenlaw.com
Erin K.L. Mahaney	emahaney@waterboards.ca.gov

1 David L. Negri david.negri@usdoj.gov
 2 Simeon Herskovits herskovitx@westernlaw.org
 3 John W. Howard johnh@jwhowardattorneys.com
 4 Malissa Hathaway McKeith mckeith@lbbslaw.com
 5 Andrew D. Galvin drew.galvin@americantower.com
 6 Lynn L. Steyaert lls@water-law.com
 7 Noelle R. Gentilli ngentill@water.ca.gov
 8 Donald B. Mooney dbmooney@dcn.org
 9 Erick Soderlund esoderlu@water.ca.gov
 10 Stuart David Hotchkiss david.hotchkiss@ladwp.com

11 I further certify that I served a copy of the foregoing in Case No. 3:73-cv-00127-ECR-
 12 LRL to the following by U.S. Mail, postage prepaid, this 28th day of December, 2010:

13 Robert L. Auer
 14 Lyon County District Attorney
 15 31 S. Main St.
 16 Yerington, NV 89447

Jeff Parker
 Deputy Atty. General
 Office of the Attorney General
 100 N. Carson St.
 Carson City, NV 89701-4717

17 Wesley G. Beverlin
 18 Malissa Hathaway McKeith
 19 Lewis, Brisbois, Bisgaard & Smith LCP
 20 221 N. Figueroa St., Suite 1200
 21 Los Angeles, CA 90012

Todd Plimpton
 Belanger & Plimpton
 1135 Central Ave.
 P.O. Box 59
 Lovelock, NV 89419

22 Leo Drozdoff
 23 Dir. of Conservation & Natural Resources
 24 State of Nevada
 25 901 S. Stewart St.
 26 Carson City, NV 89701

William W. Quinn
 Office of the Field Solicitor
 Department of the Interior
 401 W. Washington St., SPC 44
 Phoenix, AZ 85003

27 Nathan Goedde, Staff Counsel
 28 California Dept. of Fish and Game
 1416 Ninth St., #1335
 Sacramento, CA 95814

Marshall S. Rudolph, Mono County Counsel
 Stacy Simon, Deputy County Counsel
 Mono County
 P. O. Box 2415
 Mammoth Lakes, CA 93546-2415

29 Mary Hackenbracht
 30 Deputy Attorney General
 31 State of California
 32 1515 Clay St., 20th Floor
 33 Oakland, CA 94612-1413

William E. Schaeffer
 P. O. Box 936
 Battle Mountain, NV 89820

34 Robert L. Hunter, Superintendent
 35 Western Nevada Agency
 36 Bureau of Indian Affairs
 37 311 E. Washington St.
 38 Carson City, NV 89701-4065

James Shaw
 Water Master
 U.S. Board of Water Commissioners
 P.O. Box 853
 Yerington, NV 89447

1 Jason King
 2 Division of Water Resources
 3 State of Nevada
 4 901 S. Stewart St.
 5 Carson City, NV 89701

Kenneth Spooner
 General Manager
 Walker River Irrigation District
 P.O. Box 820
 Yerington, NV 89447

6 Timothy A. Lukas
 7 P.O. Box 3237
 8 Reno, NV 89505

Garry Stone
 U.S. District Court Water Master
 290 S. Arlington Ave., 3rd Floor
 Reno, NV 89501

9 I certify that I am an employee of Woodburn and Wedge and that on the 28th day of
 10 December, 2010, I electronically served the foregoing *Unopposed Motion for Extension of*
 11 *Time to File Memoranda Related to Objections to Proposed Service Cutoff and Successor-In-*
 12 *Interest Orders and to Adjust Remaining Schedule Accordingly (2nd Request)* in Case No. 3:73-
 13 cv-00128-ECR-LRL on the following via their email addresses:

14 Cheri K. Emm-Smith districtattorney@mineralcountynv.org
 15 David L. Negri david.negri@usdoj.gov
 16 Don Springmeyer dspringmeyer@wrslawyers.com
 17 Chris Mixson cmixson@wrslawyers.com
 18 Garry Stone jaliep@aol.com, jtboyer@troa.net
 19 George N. Benesch gbenesch@sbcglobal.net
 20 Gregory W. Addington greg.addington@usdoj.gov
 21 James Spoo spootoo@aol.com
 22 Karen A. Peterson kpeterson@allisonmackenzie.com
 23 Marta A. Adams MAdams@ag.nv.gov
 24 Michael Neville michael.neville@doj.ca.gov
 25 Ross E. de Lipkau ecf@parsonsbehle.com
 26 Simeon M. Herskovits simeon@communityandenvironment.net
 27 Stacey Simon ssimon@mono.ca.gov
 28 Stephen M. Macfarlane Stephen.Macfarlane@usdoj.gov
 Susan L. Schneider susan.schneider@usdoj.gov
 Wes Williams wwilliams@stanfordalumni.org

29 I further certify that I served a copy of the foregoing in Case No. 3:73-cv-00128-ECR-
 30 LRL to the following by U.S. Mail, postage prepaid, this 28th day of December, 2010:

31 Allen Anspach
 32 U.S. Bureau of Indian Affairs
 33 Western Region
 34 400 North 5th St., 12th Floor
 35 Phoenix, AZ 85004

Robert Auer
 District Attorney for Lyon County
 31 South Main St.
 Yerington, NV 89447

1 Wesley G. Beverlin
2 Malissa Hathaway McKeith
3 Lewis, Brisbois, Bisgaard & Smith LCP
4 221 N. Figueroa St., Ste. 1200
5 Los Angeles, CA 90012

6 Nathan Goedde
7 Staff Counsel
8 California Dept. of Fish & Game
9 1416 Ninth St., Ste. 1335
10 Sacramento, CA 95814

11 Michael D. Hoy
12 Hoy & Hoy
13 1495 Ridgeview Dr., Suite 90
14 Reno, NV 89519

15 Jason King
16 Division of Water Resources
17 State of Nevada
18 901 S. Stewart St.
19 Carson City, NV 89701

20 Los Angeles City Attorney's Office
21 P.O. Box 51-111
22 111 North Hope St., Ste. 340
23 Los Angeles, CA 90051

24 David Moser
25 McCutchen, Doyle, Brown, et al.
26 Three Embarcadero Center, Ste. 1800
27 San Francisco, CA 94111

28 James Shaw
Water Master
U.S. Board of Water Commissioners
P.O. Box 853
Yerington, NV 89447

Kenneth Spooner
General Manager
Walker River Irrigation District
P.O. Box 820
Yerington, NV 89447

Kelly R. Chase
1700 County Road, Ste. A
P.O. Box 2800
Minden, NV 89423

Mary Hackenbracht
Deputy Attorney General
State of California
1515 Clay St., 20th Floor
Oakland, CA 94612-1413

Robert L. Hunter
Western Nevada Agency
311 E. Washington St.
Carson City, NV 89701

Timothy A. Lukas
P.O. Box 3237
Reno, NV 89505

Michael F. Mackedon
P.O. Box 1203
179 South LaVerne St.
Fallon, NV 89407

Scott H. Shackelton
Law Offices of Scott Shackelton
4160 Long Knife Rd.
Reno, NV 89509

William J. Shaw
Brooke & Shaw, Ltd.
1590 Fourth St.
P.O. Box 2860
Minden, NV 89423

Tracy Taylor
Department of Conservation and Natural
Resources
Division of Water Resources
901 S. Stewart St., Ste. 202
Carson City, NV 89701

1 Adah Blinn and John Hargus Trust,
2 Robert Lewis Cooper, Trustee:
3 984 Hwy. 208
4 Yerington, NV 89447

5 Domenici 1991 Family Trust
6 Lona Marie Domenici-Reese
7 P.O. Box 333
8 Yerington, NV 89447

9 Wallace J. & Linda P. Lee
10 904 W. Goldfield Ave.
11 Yerington, NV 89447

12 Cynthia Menesini
13 111 N. Hwy. 95A
14 Yerington, NV 89447

15 Nancy J. Nuti
16 P.O. Box 49
17 Smith, NV 89430

18 Charles Price
19 24 Panavista Cir.
20 Yerington, NV 89447

21 Sceirine Fredericks Ranch
22 c/o Todd Sceirine
23 3100 Hwy. 338
24 Wellington, NV 89444

25 Daniel G. & Shawna S. Smith
26 P.O. Box 119
27 Wellington, NV 89444

28 Susan Steneri
10 Pickering Cir., Reno
Reno, NV 89511

Casino West
Lawrence B. Masini, RA
11 N. Main St.
Yerington, NV 89447

L & M Family Limited Partnership
Rife Sciarani & Co, RA
22 Hwy. 208
Yerington, NV 89447

Joseph J. Bessie J. Lommori Trust
Joseph & Bessie J. Lommori, Trustees
710 Pearl St.
Yerington, NV 89447

Cynthia Nuti
P.O. Box 49
Smith, NV 89430

Richard B. Nuti
P.O. Box 49
Smith, NV 89430

John Gustave Ritter III
34 Aiazzi Ln.
Yerington, NV 89447

Silverado, Inc.
Gordon R. Muir, RA
One E. Liberty St., Suite 416
Reno, NV 89501

Christy De Long & Kirk Andrew Stanton
27 Borsini Ln.
Yerington, NV 89447

Jerry E. Tilley, Trust
Jerry E. Tilley, Trustee
11418 S. 105th E. Ave.
Bixby, OK 74008

/ s / Holly Dewar
Holly Dewar